

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

In re:

Miriam K. Bernard and Jack M. Bernard  
Debtor

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:  
:

Chapter 13

Case No.: 15-15221-amc

**ORDER**

AND NOW, this                      day of                      , 2015, upon motion of debtor, Jack M. Bernard for an order of voluntary dismissal of the case as to Jack M. Bernard only, it is ORDERED that the motion is GRANTED. The case is dismissed as to Jack M. Bernard only, without prejudice to provisions of U.S.C. §1301(a).

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UNITED STATES BANKRUPTCY JUDGE

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF PENNSYLVANIA

In re:

Miriam K. Bernard and Jack M. Bernard  
Debtor

Chapter 13

Case No.: 15-15221-amc

**MOTION FOR VOLUNTARY DISMISSAL PURSUANT TO 11 USC §1307 (b) AS TO  
JACK M BERNARD, JOINT DEBTOR ONLY**

Debtor, Jack M. Bernard moves for an Order pursuant to §1307(b) of the Bankruptcy Code dismissing the case as to debtor Jack M. Bernard only, and states:

1. Debtor mistakenly assumed that as co-debtor for purposes of administration of the Chapter 13 case it was necessary to join with debtor Miriam K. Bernard for this Voluntary Petition under Chapter 13 of the Bankruptcy code.

2. There is presently pending, a case under Chapter 7 of the Bankruptcy Code case number 09-16943(AMC). The case is open and is being administered by the Chapter 7 Trustee, Christine Shubert. Since the existing Chapter 7 proceeding remains open to recover assets and make a further distribution, movant is without standing as a joint debtor in a voluntary Chapter 13 proceeding brought by himself.

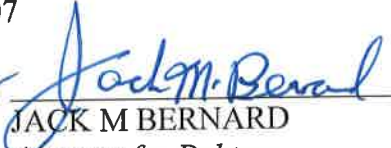
WHEREFORE, debtor Jack M. Bernard moves for an Order consistent with this application severing and dismissing this case as to said debtor only.

Respectfully Submitted:

  
JACK M BERNARD  
*Attorney for Debtors*

I hereby certify that a true copy of the foregoing ***MOTION FOR VOLUNTARY DISMISSAL PURSUANT TO 11 USC §1307 (b) AS TO JACK M BERNARD, JOINT DEBTOR ONLY*** was served upon the below listed parties by first class mail.

***U.S. Trustee***  
**United States Trustee**  
Office of the U.S. Trustee  
833 Chestnut Street  
Suite 500  
Philadelphia, PA 19107

7/31/15   
JACK M BERNARD  
*Attorney for Debtors*  
930 Land Title Building  
100 South Broad Street  
Philadelphia, PA. 19110  
215-665-0666 *telephone*  
267-514-8609 *facsimile*